

The Standard.

THE PERMANENT CONSTITUTION
CONFEDERATE STATES OF AMERICA.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquility, and secure the blessings of liberty to ourselves and our posterity—do ordain and establish this Constitution for the Confederate States of America.

ARTICLE I.

SECTION I.
All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

SECTION II.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch of the State Legislature; BUT NO FOREIGN BIRTH, NOT A CITIZEN OF THE CONFEDERATE STATES, SHALL BE ALLOWED TO VOTE FOR ANY OFFICER, CIVIL OR POLITICAL, STATE OR FEDERAL.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Confederacy according to their respective numbers, which shall be determined by adding to the whole number of free persons, including Indians not taxed, three-fifths of all slaves.—The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall, by direct law, direct.

4. When vacancies in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment, except that any judicial or other federal officer residing and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the Legislature thereof.

6. The Senate of the Confederate States shall be composed of two senators from each State, chosen for six years by the legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each senator shall have one vote.

7. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

8. No person rules for government and regulation of the land and naval forces; and who shall not (when elected) be an inhabitant of the State for which he shall be chosen.

9. The Vice President of the Confederate States shall be President of the Senate, but shall have no vote, unless they be equally divided.

10. The Senate shall choose their other officers; and also a President pro tempore in the absence of the Vice President, or when he shall exercise the office of President of the Confederate States.

11. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

12. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the Confederate States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION IV.

1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution, but the Congress may, at any time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

SECTION V.

Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds the whole number, expel members.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

4. Neither House during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for speech or debate in either house they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either house during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either house, with the privilege of discussing any measures appertaining to his department.

SECTION VII.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed both houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve, he shall sign it; but if not, he shall return it with his objections to the other house, in which it shall originate, who shall decide thereon, as on other bills. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall, notwithstanding the objections, be sent, together with the objections, to the other house, by which it shall be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all cases, the yeas or nays of the members of either house shall be recorded, and the yeas or nays of the members of either house shall be recorded, and the yeas or nays of the members of either house shall be recorded.

both houses shall be determined by yeas and nays, and the yeas and nays of the members of each house shall be recorded. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. If the President shall have approved a bill, he shall sign it, and it shall become a law. If he shall have disapproved it, he shall return it with his objections to the other house, in which it shall originate, who shall decide thereon, as on other bills. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall, notwithstanding the objections, be sent, together with the objections, to the other house, by which it shall be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all cases, the yeas or nays of the members of either house shall be recorded, and the yeas or nays of the members of either house shall be recorded.

3. Every order, resolution, or vote, to which the concurrence of both Houses may be necessary (except on a question of adjournment), shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him; or, being disapproved by him, may be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

SECTION VIII.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts and excises for revenue necessary to pay the debts, provide for the common defence, and carry on the Government of the Confederate States; BUT NO DUTIES SHALL BE GRANTED FOR THE PURPOSE OF FURNISHING LIGHTS, BEACONS AND BUOYS, AND OTHER AIDS TO NAVIGATION UPON THE COASTS, AND THE IMPROVEMENT OF HARBOURS AND THE REMOVAL OF OBSTRUCTIONS IN RIVER NAVIGATION, IN ALL OF WHICH CASES SUCH DUTIES SHALL BE LAID ON THE NAVIGATION FACILITATED THEREBY AS MAY BE NECESSARY TO PAY THE COSTS AND EXPENSES THEREOF.

2. To establish uniform laws of naturalization, and the uniform rules of bankruptcy throughout the Confederate States; BUT NO LAW OF CONGRESS SHALL DISCHARGE ANY DEBT CONTRACTED BEFORE THE PASSAGE OF THE SAME.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; BUT NEITHER THIS, NOR ANY OTHER CLAUSE CONTAINED IN THE CONSTITUTION, SHALL EVER BE CONSTRUED TO DELEGATE THE POWER TO CONGRESS TO ADOPT LAWS ON THE SUBJECT OF BANKRUPTCY THROUGHOUT THE CONFEDERATE STATES; EXCEPT FOR THE PURPOSE OF FURNISHING LIGHTS, BEACONS AND BUOYS, AND OTHER AIDS TO NAVIGATION UPON THE COASTS, AND THE IMPROVEMENT OF HARBOURS AND THE REMOVAL OF OBSTRUCTIONS IN RIVER NAVIGATION, IN ALL OF WHICH CASES SUCH DUTIES SHALL BE LAID ON THE NAVIGATION FACILITATED THEREBY AS MAY BE NECESSARY TO PAY THE COSTS AND EXPENSES THEREOF.

4. To establish uniform laws of naturalization, and the uniform rules of bankruptcy throughout the Confederate States; BUT NO LAW OF CONGRESS SHALL DISCHARGE ANY DEBT CONTRACTED BEFORE THE PASSAGE OF THE SAME.

5. To coin money, regulate the value thereof and foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States.

7. To establish postoffices and post roads; BUT THE POWERS OF THE POSTOFFICE DEPARTMENT AFTER THE FIRST DAY OF MARCH, IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND SIXTY-THREE, SHALL BE PAID OUT OF ITS OWN REVENUE.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for government and regulation of the land and naval forces; and who shall not (when elected) be an inhabitant of the State for which he shall be chosen.

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections and repel invasions.

16. To provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the Confederate States; respecting to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of one or more States and the acceptance of Congress, become the seat of the government of the Confederate States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the Confederate States, or in any department or officer thereof.

SECTION IX.

1. The importance of the rights of the African race from any foreign country other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and CONGRESS IS REQUESTED TO PASS SUCH LAWS AS SHALL EFFECTUALLY PREVENT THE SAME.

2. CONGRESS SHALL HAVE THE POWER TO PROHIBIT THE INTRODUCTION OF SLAVES FROM ANY STATE NOT A MEMBER OF, OR TERRITORY NOT BELONGING TO, THIS CONFEDERACY.

3. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

4. No bill of attainder, or *ex post facto* law, or law denying or impairing the right of property in negro slaves, shall be passed.

5. No capitation or other direct tax shall be laid unless in proportion to the census or enumeration heretofore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preferences shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

9. CONGRESS SHALL APPROPRIATE NO MONEY FROM THE TREASURY EXCEPT BY A VOTE OF TWO-THIRDS OF BOTH HOUSES, TAKEN BY YEAS AND NAYS, UNLESS IT BE ASKED AND ESTIMATED FOR BY SOME ONE OF THE HEADS OF DEPARTMENT, AND SUBMITTED TO CONGRESS BY ITS OWN EXPENSES AND CONTINGENCIES; OR FOR THE PAYMENT OF CLAIMS AGAINST THE CONFEDERATE STATES, THE JUSTICE OF WHICH SHALL HAVE BEEN JUDICIALLY DECLARED BY A TRIBUNAL FOR THE INVESTIGATION OF CLAIMS AGAINST THE GOVERNMENT, WHICH SHALL HAVE MADE THE DUTY OF CONGRESS TO REIMBURSE.

10. ALL BILLS APPROPRIATING MONEY SHALL SPECIFY, IN FEDERAL CURRENT, THE EXACT AMOUNT OF EACH APPROPRIATION AND THE PURPOSES FOR WHICH IT IS MADE; AND CONGRESS SHALL GRANT NO EXTRA COMPENSATION TO ANY PUBLIC CONTRACTOR, OFFICER, AGENT, OR SERVANT, AFTER SUCH CONTRACT SHALL HAVE BEEN MADE ON SUCH SERVICE RENDERED.

11. No person shall be a member of either house of the Confederate States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince or foreign state.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

13. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly

describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be put in jeopardy of life or limb; nor shall he be compelled, in any criminal case, to be witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

17. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the Confederacy than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

20. Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

21. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

22. No State shall, without the consent of the Congress, lay any impost or duty on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports and exports, shall be for the use of the treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

23. No State shall, without the consent of Congress, lay any duty on tonnage, except on seagoing vessels, for the improvement of its rivers and harbors, by the aid of money, but such duties shall not conflict with any treaty of the Confederate States with foreign nations; and any surplus of revenue thus derived shall, after making such improvement be paid into the common treasury; nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

24. Each State shall divide or flow through two or more States, and the same shall be subject to each other to improve the navigation thereof.

ARTICLE II.

SECTION I.

1. The executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years; but the President shall not be re-eligible. The President and Vice-President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the government of the Confederate States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, in the list of those voted for as President, the House shall choose, by ballot, the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall have devolved upon them, before the 4th day of March next following, then the Vice-President shall act as President, in case of the death or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the two highest numbers on the list, the Senate shall choose, by ballot, the Vice-President; for the purpose the whole number of electors, and a majority of the whole number of Senators, and a majority of the whole number of Representatives shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States, as they may be extended by Congress.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will, to the best of my ability, preserve, protect and defend the Constitution thereof."

SECTION II.

1. The President shall be Commander-in-Chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of his respective offices, and he shall have power to grant reprieves and pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint and remove, his ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not otherwise provided for; and he shall have power to fill up the vacancies in the Senate, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint and remove, his ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not otherwise provided for; and he shall have power to fill up the vacancies in the Senate, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; 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